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08/726,024	10/04/1996	DANIEL A. HENDERSON	3052/119	8599

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EXAMINER

ANWAH, OLISA

ART UNIT PAPER NUMBER

2614

DATE MAILED: 10/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/726,024

Applicant(s)

HENDERSON, DANIEL A.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-223 is/are pending in the application.
- 4a) Of the above claim(s) 1-191 and 200 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 192-199 and 201-223 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 7-10-2006.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 192-199, 203, 210, 211, 216-218, 220 and 223 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Baehr et al, U.S. Patent No. 4,961,216 (hereinafter Baehr) in view of Callele, U.S. Patent No. 5,206,900 (hereinafter Callele).

Regarding claim 192, Baehr discloses a method of communicating information from a calling party connected to a telephone network, to a called party having a portable communication device that is pageable by a paging system in communication with a message center, such message center in communication with the telephone network, comprising the steps of:

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receiving at the message center caller identification information, pertinent to the telephone of the calling party;

transmitting the caller identification information from the message center to the paging system; and

transmitting the caller identification information from the paging system to the portable communication device (see columns 3 and 4).

With further respect to claim 192, Baehr falls short of showing that the caller identification information is provided automatically by the telephone network. Regardless, Callele shows this feature (see column 1). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baehr with the ICLID of Callele. This modification would have improved the efficiency of Baehr by allowing the device to automatically determine and display the caller's number using data supplied by the telephone company as suggested by Baehr (see column 4).

Regarding claim 193, see columns 3 and 4 of Baehr.

Regarding claim 194, see columns 3 and 4 of Baehr.

Regarding claim 195, see columns 3 and 4 of Baehr.

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As per claim 196, Baehr doesn't teach the caller identification number is provided as FSK data. Yet, Callele discloses this limitation (see columns 3 and 4). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baehr with the FSK data of Callele. This modification would have improved the efficiency of Baehr by passing control information between telephone switches as suggested by Callele.

As per claim 197, Baehr doesn't teach the caller identification number is provided from an ISDN connection. Yet, Callele discloses this limitation (see columns 3 and 4). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baehr with the ISDN network of Callele. This modification would have improved the efficiency of Baehr by passing control information between telephone switches as suggested by Callele.

Regarding claim 198, see columns 3 and 4 of Baehr.

Regarding claim 199, see columns 3 and 4 of Baehr.

Regarding claim 203, see columns 3 and 4 of Baehr.

Regarding claim 210, see columns 3 and 4 of Baehr.

Regarding claim 211, see column 1 of Baehr.

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Regarding claim 216, see columns 3 and 4 of Baehr.

Regarding claim 217, see column 1 of Baehr.

Regarding claim 218, see columns 3 and 4 of Baehr.

Regarding claim 220, see columns 3 and 4 of Baehr.

Regarding claim 223, Baehr discloses a method of communicating information from a calling party connected to a telephone network to a called party having a portable communication device that is pageable by a paging system in communication with a message center, such message center in communication with the telephone network, comprising the steps of:

receiving at the message center caller identification information pertinent to the telephone of the calling party;

transmitting the caller identification information from the message center to the paging system;

transmitting the caller identification information from the paging system to the portable communication device;

obtaining optional data from the calling party prior to transmitting the caller identification to the paging system, the optional data comprising at least one of a voice, video, image or textual message; and

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transmitting the optional data from the message center to the paging system (see columns 3 and 4).

With further respect to claim 223, Baehr falls short of showing that the caller identification information is provided automatically by the telephone network. Regardless, Callele discloses this feature (see column 1). And so, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Baehr with the ICLID of Callele. This modification would have improved the efficiency of Baehr by allowing the device to automatically determine and display the caller's number using data supplied by the telephone company as suggested by Baehr (see column 4).

3. Claims 206, 207, 221 and 222 are rejected under 35 U.S.C § 103(a) as being unpatentable over Baehr combined with Callele in further view of De Luigi et al, U.S. Patent No. 5,418,529 (hereinafter De Luigi).

On the subject of claim 206, the combination of Baehr and Callele is silent as to storing the caller identification and the optional data in contiguous memory locations in the portable communication device. However De Luigi shows this feature (see column 2, line 58 to line 19 of column 3). And so, it would have

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been obvious to one of ordinary skill in the art to further modify the combination of Baehr and Callele to include the memory management technique taught by De Luigi. This modification would have improved the system's efficiency by reducing storage requirements as suggested by De Luigi.

On the subject of claim 207, the combination of Baehr and Callele is silent as to storing the caller identification and the optional data in associated non-contiguous memory locations in the portable communication device. However De Luigi shows this feature (see column 2, line 58 to line 19 of column 3). And so, it would have been obvious to one of ordinary skill in the art to further modify the combination of Baehr and Callele to include the memory management technique taught by De Luigi. This modification would have improved the system's efficiency by reducing storage requirements as suggested by De Luigi.

Claim 221 is rejected for the same reasons as claim 206.

Claim 222 is rejected for the same reasons as claim 207.

4. Claims 212-215 and 219 are rejected under 35 U.S.C § 103(a) as being unpatentable over Baehr combined with Callele in

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further view of Metroka et al, U.S. Patent No. 5,117,449

(hereinafter Metroka).

Regarding claim 212, the combination of Baehr and Callele does not disclose storing the caller identification information within the portable communication device and initiating a new connection over the telephone network by transmitting the stored caller identification data to the telephone network.

Nonetheless, Metroka discloses these features (see abstract).

For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with the storing and initiating features of Metroka. This modification would have improved the system's convenience by providing a single, small, lightweight, portable device combining the advantages of both the cellular telephone and the pager as suggested by Metroka (see column 2).

Regarding claim 213, the combination of Baehr and Callele does not disclose storing the caller identification information within the portable communication device and initiating a new connection over a cellular telephone network by transmitting the stored caller identification data to the cellular telephone network. Nonetheless, Metroka discloses these features (see

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abstract). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Wolff and Richardson with the storing and initiating features of Metroka. This modification would have improved the system's convenience by providing a single, small, lightweight, portable device combining the advantages of both the cellular telephone and the pager as suggested by Metroka (see column 2).

Regarding claim 214, the combination of Baehr and Callele does not teach the paging system includes a cellular communication network and the portable communication device comprises a combined cellular telephone device and pager device. However Metroka discloses these limitations (see abstract). And so, it would have obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with the compact unitary cellular/pager of Metroka. This modification would have improved the system's convenience by providing a single, small, lightweight, portable device combining the advantages of both the cellular telephone and the pager as suggested by Metroka (see column 2).

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Regarding claim 215, the combination of Baehr and Callele does not teach the paging system transmits the caller identification information to the portable communication device utilizing the cellular communication network. Nonetheless, Metroka shows this feature (see abstract). Consequently, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with the compact unitary cellular/pager of Metroka. This modification would have improved the system's convenience by providing a single, small, lightweight, portable device combining the advantages of both the cellular telephone and the pager as suggested by Metroka (see column 2).

Regarding claim 219, the combination of Baehr and Callele does not disclose the portable computing device has two-way radio communications capabilities. Nonetheless, Metroka discloses this mechanism (see abstract). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with the two-way radio communications capabilities of Metroka. This modification would have improved the system's convenience by providing a single,

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small, lightweight, portable device combining the advantages of both the cellular telephone and the pager as suggested by Metroka (see column 2).

5. Claims 201 and 204 are rejected under 35 U.S.C § 103(a) as being unpatentable over Baehr combined with Callele in further view of Parvelescu et al, U.S. Patent No. 6,002,719 (hereinafter Parvelescu) (Note this reference is used because it is believed that this subject matter is not of record in the provisional application).

As per claim 201, the combination of Baehr and Callele fails to teach compressing the optional data prior to transmission of the optional data to the portable terminal. Regardless, Parvelescu shows this feature (see column 1, line 7 to column 2, line 12). Hence, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with compressing the optional data prior to transmission of the optional data to the portable terminal as taught by Parvelescu. This modification would have improved the system's efficiency by maximizing bandwidth utilization as suggested by Parvelescu.

Claim 204 is rejected for the same reasons as claim 201.

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6. Claims 202 and 205 are rejected under 35 U.S.C § 103(a) as being unpatentable over Baehr combined with Callele in further view of Owen, U.S. Patent No. 5,483,595 (hereinafter Owen).

Regarding claim 202, the combination of Baehr and Callele fails to teach encrypting the optional data prior to transmission of the optional data to the portable communication device. However Owen teaches the claimed encrypting limitation (see column 6, line 46 to column 7, line 7). For this reason, it would have been obvious to one of ordinary skill in the art at the time the invention was made to further modify the combination of Baehr and Callele with the encrypting mechanism of Owen. This modification would have improved the system's reliability by sending secure messages as suggested by Owen.

Claim 205 is rejected from the same reasons as claim 202.

7. Claim 208 and 209 are rejected under 35 U.S.C § 103(a) as being unpatentable over Baehr combined with Callele in further view of Wolff et al, U.S. Patent No. 5,327,486 (hereinafter Wolff).

Regarding claim 208, the combination of Baehr and Callele does not teach comparing the received caller identification with information stored in an associated memory in the message center and selectively transmitting the caller identification

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information to the portable communication device as a result of the comparison. All the same, Wolff discloses this feature (see Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art to further modify the combination of Baehr and Callele with the call screening function of Wolff. This modification would have improved the system's convenience by preventing users from being interrupted as suggested by Wolff (see column 1).

Regarding claim 209, the combination of Baehr and Callele does not teach the caller identification information is transmitted to the portable communication device only if the received caller identification matches an entry in the associated memory. All the same, Wolff discloses this feature (see Figure 2). Therefore, it would have been obvious to one of ordinary skill in the art to further modify the combination of Baehr and Callele with the call screening function of Wolff. This modification would have improved the system's convenience by preventing users from being interrupted as suggested by Wolff (see column 1).

Response to Arguments

8. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa

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Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.

Olisa Anwah
Patent Examiner
September 7, 2006



WING CHAN
SUPERVISORY PATENT EXAMINER